

**REMARKS**

This communication is responsive to the Official Action mailed January 10, 2005, rejecting all the claims pending in the application. A one-month extension of time to respond, up to and including May 10, 2005, is filed concurrently herewith.

Applicants note with appreciation the interview of April 13, 2005, with the Examiner.

Claims 1, 2, 4-9, 12, and 14-18 are pending in the application. Of the pending claims, claims 1, 6, 12, and 15 are independent. The remaining claims depend from one of the independent claims.

Claim 1, has been amended to recite "associating an identity of a first entity with at least one of the first or second codes including setting one or more update values indicating whether the first entity is authorized to receive changes relating to the first or second characteristic values associated with the first or second code, changing at least one of the first or second characteristic values to produce a changed characteristic value, retrieving the identity of the first entity based on the changed characteristic value, determining whether the first entity is authorized to be informed of the change characteristic value based on one of the one or more update values." The amendments to claim 1 improve and clarify the claimed subject matter. Support for these amendments may be found by reference to, for example, paragraphs [0025] to [0027]. Applicants therefore respectfully submit that the amendments to claim 1 do not constitute the addition of new matter.

Claim 2 has been amended to now recite "associating an identity of a second entity with the same code as that associated with the first entity, retrieving the identity of the second entity based on the changed value and another of the one or more update values, and sending the changed value

to the second entity." Applicants respectfully submit that the amendment to claim 2 are cosmetic in nature and does not constitute the addition of new matter.

Claims 4 and 5 have also been amended to improve their form as indicated above.

Claim 6 has been amended to now recite "determining whether the first entity is authorized to be informed of the modified information based on the entity-data association, and transmitting the modified information about the product to the first entity only if the first entity is determined to be authorized to be informed of the modified information." Applicants respectfully submit that the amendments to claim 6 do not constitute the addition of new matter. Support for the amendments to claim 6 may be found by reference to, for example, paragraphs [0025] and [0040] of the specification.

Claim 12 has been amended to now recite "means for associating the identity of a first vendor with at least one of the first or second codes including setting one or more update values that provide an indication of whether the first vendor is authorized to automatically receive changes to the first or second characteristic values, means for changing the identity of the first vendor based on the changed characteristic value, . . . means for determining whether the first entity is authorized to be automatically informed of changes to either the first or second characteristic values based on one of the one or more update values, and means for sending the changed characteristic value to the first vendor in response to the determination." Applicants respectfully submit that the amendments to claim 12 do not constitute the addition of new matter. Support for the amendments to claim 12 may be found by reference to, for example, paragraphs [0025] and [0040] of the specification.

Claim 15 has been amended to recite "retrieving the identity of the first entity based on the changed

characteristic value; determining whether the first entity is authorized to be informed of changes to the at least one characteristic value based on one of the one or more update values; and sending the changed characteristic value to the first entity based on the determination." Support for the amendments to claim 15 may be found by reference to, for example, paragraphs [0025] and [0040] of the specification. Accordingly, applicants respectfully submit that the amendments to claim 15 do not constitute the addition of new matter.

The Examiner rejected claim 1 under 35 U.S.C. § 112, first paragraph, for failing to comply with the enablement requirement. In particular, the Examiner asserts that the "specification does not contain a clear and concise description of the manner in which 'one of the characteristic values' is changed such that a skilled artisan can make and use the invention." (Official Action at 3.) Applicants respectfully submit that support for how one of the characteristic values can be changed may be found by reference to, for example, paragraphs [0024]-[0025] and [0040] of the specification. Applicants respectfully submit that based on at least the foregoing paragraphs, "changing at least one of the characteristic values," as recited in claim 1, is supported by the specification.

The Examiner also rejected claim 1 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly pointing out and distinctly claiming the subject matter which applicants regard as the invention. (See Official Action at 3.) Applicants respectfully submit that in view of the foregoing amendments to claim 1, each of the concerns raised by the Examiner have been addressed. In that regard, applicants respectfully submit that claim 1 meets all of the requirements of 35 U.S.C. § 112.

The Examiner also rejected claims 2, 4, and 5 under 35 U.S.C. § 112 for depending from a rejected base claim, namely, claim 1. Applicants respectfully submit that in view of the amendments to claim 1, claims 2, 4, and 5 also meet all the requirements of 35 U.S.C. § 112.

The Examiner rejected claims 1, 4-9, 12, and 14-18 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,913,210 to *Call* (hereinafter "*Call*"). Applicants respectfully submit that the Examiner's rejection based on *Call* is now moot in view of the amendments to the claims.

In particular, claim 1 now recites "determining whether the first entity is authorized to be informed of the changed characteristic value based on one of the one or more update values." Claim 1 further recites "sending the changed characteristic value to the first entity based on the determination."

Claim 6 now recites "determining whether the first entity is authorized to be informed of the modified information based on the entity-data association, and transmitting the modified information about the product to the first entity only if the first entity is determined to be authorized to be informed of the modified information."

Claim 12 now recites "means for determining whether the first entity is authorized to be automatically informed of changes to either the first or second characteristic values based on one of the one or more update values, and means for sending the changed characteristic value to the first vendor in response to the determination."

Claim 15 has been amended to now recite "determining whether the first entity is authorized to be informed of changes to the at least one characteristic value based on one of the one or more update values, and sending the changed characteristic value to the first entity based on the determination." Thus, in contrast to claims 1, 6, 12 and 15,

*Call* does not discriminate between users in responding to information requests.

Applicants respectfully submit that *Call* does not teach or suggest determining whether an entity "is authorized to be informed" of product information or characteristic values. *Call* clearly teaches that any user or entity requesting product information receives the product information. Indeed, *Call* does not make a determination as to whether entities or users are allowed to receive product information. Thus, in contrast to claims 1, 6, 12 and 15, *Call* does not discriminate between users in responding to information requests.

In responding to the arguments included in applicants' amendment filed on October 19, 2004, the Examiner "maintains" that column 4, lines 34-58 of *Call* are "relevant" to the claim limitation "indicating whether an entity is authorized to receive changes." Applicants respectfully submit that the Examiner is interpreting this portion of *Call* out of context. In particular, column 4, lines 34-58 of *Call* are specifically discussing the process by which users register with *Call*'s product translator. There is no teaching or suggestion, however, in this or any other portion of *Call* that the registration handler controls or determines which users or entities are sent product information. Moreover, there is no suggestion in *Call* that a determination of whether a user or entity is sent product information can be made based on changes to a characteristic or information associated with the product.

That is, *Call* clearly teaches that all entities that request product information receive the product information. In accordance with *Call*'s disclosure, information updates are provided to users in two ways. First, a manufacturer may, via the registration handler process 203, register with the product code translator 101. (*Call*, col. 3, lns. 48-53.) The registration handler process 203 "stores cross-references, or

on a separate server operated by a central authority, receives each registration submission via the Internet 205 to create an incoming registration data illustrated by the data template record 207." (*Id.*, col. 4, lns. 9-15.) As FIG. 2 and its accompanying description make clear, the information stored in template record 207 is a cross-reference that associates product codes with a manufacturer's IP address, the manufacturer's name, the manufacturer's address and its e-mail address. (*Id.*, col. 4, ln. 15 to col. 6, ln. 52.) In accordance with this embodiment of *Call*, when a user requests product information, the product code translator 101 returns the requested information to the user without making any determination of whether the user should be informed of the requested information. (*Id.*, col. 6, lns. 53-62; see also col. 6, ln. 63 to col. 7, ln. 39; col. 2, lns. 48-52.)

*Call* also discloses that a manufacturer may intercept a request for a particular file, e.g., a web page, and then may dynamically write an HTML response based on the latest information available in the manufacturer's product database. (*Id.*, col. 9, lns. 20-35.) Thus, a user is provided the requested information regardless of whether the user is authorized to receive the information. As such, *Call* does not make the determination of whether a user should be informed of the requested information.

Further in this regard, applicants respectfully submit that nowhere in *Call* is it disclosed or suggested that a determination should be made regarding whether a user should be informed of information that is requested. Stated another way, in accordance with the teachings of *Call*, each user that requests information is provided with such information.

In responding to applicants' previous argument, the Examiner also states that the claims do not include "features upon which applicant relies (*i.e.*, a determination should be

made regarding whether a user should be informed of information that is requested)." (Official Action at 12-14.)

In view of the foregoing amendments discussed above, applicants respectfully submit that each of the independent claims are clear in reciting either a step or means for determining whether an entity is authorized to be informed of a characteristic value or information associated with a product. Moreover, these step or means for clauses were recited in all the independent claims prior to the present amendment. As such, applicants respectfully submit that the Examiner's rejection is now moot. In addition, applicants respectfully submit that each of the independent claims are now allowable for at least the foregoing reasons. In addition, as all of the other claims depend from one of the independent claims, applicants respectfully submit that these claims (i.e., claims 2, 4-5, 7-9, 14, and 16-18) are also allowable for at least the foregoing reasons.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

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Docket No.: SONY 3.0-026

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: May 6, 2005

Respectfully submitted,

By 

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